

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

THUY VAN VO,)
)
)
Plaintiff,) 2:18-cv-01364-NR-MPK
)
)
vs.)
)
ROBERT GILMORE, MICHAEL ZAKEN,) Hon. J. Nicholas Ranjan
and STEPHEN DURCO,) Magistrate Judge Maureen P. Kelly
)
)
Defendants.))
)
)

MEMORANDUM ORDER

This is a *pro se* prisoner civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to Magistrate Judge Maureen P. Kelly for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and the Local Rules of Court applicable to Magistrate Judges.

Currently before the Court is [ECF 44] a Report & Recommendation filed by Judge Kelly on, recommending that the Court deny [ECF 30] Defendants' Motion to Dismiss. The parties were notified that, pursuant to 28 U.S.C. § 636(b)(1), objections to the Report & Recommendation were due by August 7, 2019 (for ECF users) and August 12, 2019 (for non-ECF users). No objections were filed.

Upon a *de novo* review of the record of this matter and the Report and Recommendation, the Court finds no clear error on the face of the record, and therefore enters the following order.

AND NOW, this 13th day of August, 2019, it is ORDERED that Defendants' Motion to Dismiss is **DENIED**. The Report & Recommendation is adopted as the opinion of the Court.

BY THE COURT:

/s/ J. Nicholas Ranjan
United States District Judge